

1 CHRISTOPHER CHIOU  
Acting United States Attorney  
2 District of Nevada  
Nevada Bar No. 14853  
3 RACHEL L. KENT  
Special Assistant United States Attorney  
501 Las Vegas Blvd. South, Suite 1100  
4 Las Vegas, Nevada 89101  
Tel. (702) 388-6336  
5 Fax. (702) 388-6418  
Rachel.Kent@usdoj.gov  
6 *Representing the United States of America*

7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 DANIEL PLATA and  
JONATHAN PAVON,

13 Defendants.

Case No. 2:20-cr-00032-JCM-EJY

**STIPULATION TO CONTINUE TRIAL**  
**DATE**  
**(Fourth Request)**

14  
15 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher  
16 Chiou, Acting United States Attorney, and Rachel L. Kent, Special Assistant United States  
17 Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public  
18 Defender, and Paul D. Riddle, Assistant Federal Public Defender, counsel for Daniel Plata  
19 and Theresa A. Ristenpart, counsel for Jonathan Pavon, that the calendar call currently  
20 scheduled for July 21, 2021, and the trial currently scheduled on July 26, 2021, be vacated  
21 and continued to a date and time convenient to the Court, but no sooner than ninety (90)  
22 days.

23 This Stipulation is entered into for the following reasons:  
24

1. Counsel for the defendants need additional time to review discovery, continue investigation in this case, and determine whether they plan to file any pretrial motions. The additional time requested by this stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18 U.S. C. § 3161(h)(7)(A).
2. The parties are currently engaged in plea negotiations that may result in the resolution of this matter without trial, facilitating the efficient use of judicial resources. The additional time requested by this Motion is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, U.S.C. § 3161(h)(7)(A).
3. The defendants are not incarcerated and agree to the continuance.
4. Additionally, denial of this request for a continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161 (h)(7)(B)(i),(iv).

//

//

//

//

//

//

//

1 This is the fourth stipulation to continue.

2  
3 DATED this 30th day of June, 2021.

4  
5 Respectfully submitted,

6 NICHOLAS A. TRUTANICH  
7 United States Attorney

8 /s/ Rachel Kent

9 s/ Paul Riddle  
10 PAUL RIDDLE, AFD  
11 Counsel for defendant  
12 **Daniel Plata**

13 RACHEL KENT  
14 Special Assistant United States Attorney

15 s/ Theresa A. Ristenpart  
16 THERESA A. RISTENPART  
17 Counsel for defendant  
18 **Jonathan Pavon**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL PLATA and  
JONATHAN PAVON,

Defendants.

Case No. 2:20-cr-00032-JCM-EJY

**STIPULATION TO CONTINUE TRIAL  
DATES  
(Fourth Request)**

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the defendants need additional time to review discovery, continue investigation in this case, and determine whether they plan to file any pretrial motions. The additional time requested by this Motion is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, U.S.C. § 3161(h)(7)(A).
2. The parties are currently engaged in plea negotiations that may result in the resolution of this matter without trial, facilitating the efficient use of judicial resources. The additional time requested by this Motion is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, U.S.C. § 3161(h)(7)(A).

3. The defendants are not incarcerated and agree to the continuance.

4. Additionally, denial of this request for a continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i),(iv).

## CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be like to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), when the considering of the factors under Title 18, United States Code, Section 3161 (h)(7)(B)(iv).


## ORDER

IT IS HEREBY ORDERED that trial briefs, proposed voir dire questions, proposed jury instructions, and a list of the Government's prospective witnesses must be submitted to the Court at Calendar Call.

IT IS FURTHER ORDERED that the calendar call currently scheduled for July 21, 2021, at the hour of 1:30 p.m., be vacated and continued to December 29, 2021 at the

hour of 1:30 p.m., and the trial currently scheduled for July 26, 2021, at the  
hour of 9:00 a.m. be vacated and continued to January 3, 2022 at the hour of 9:00 a.m.

DATED July 2, 2021.

  
UNITED STATES DISTRICT JUDGE